ARGUMENTS/REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe and claim the subject matter which applicants regard as the invention.

Claims 1-25 remain in this application. New claims 26-35 add additional features from the specification.

The Examiner objected to claims 14, 20, and 22 for informalities. Those claims have been amended to address the Examiner's objections. The Examiner objected to claims 11 and 15-17 as being allowable if rewritten in independent format. Because the rejections of the parent claims is being traversed, claims 11 and 15-17 have not been re-written in independent format.

Claims 19-25 were rejected under 35 U.S.C. §102(b) as being anticipated by Gelman *et al.* (U.S. 6,415,329). For the following reasons, the rejection is respectfully traversed.

Claim 19, as amended, recites a "gateway" comprising "means for receiving packets encrypted according to the WTLS protocol from WAP-enabled terminals" and also comprising "means for converting said packets into SSL-encrypted requests" and further comprising "means for transmitting said SSL-requests to a receiving server". The claim also recites that the gateway "can recognize WTLS-encrypted packets that are to be sent on transparently and can convert said WTLS-encrypted packets into SSL-encrypted request without decrypting the information contained in said WTLS-encrypted packets".

Gelman does not suggest the use of WTLS protocol by terminals, nor does the reference suggest a gateway that does not decrypt *all* of the WTLS-encrypted packets, as recited in the claim. The examiner refers to col. 8, lines 11-20, as teaching a conversion from WLP to TCP. However, the citation actually teaches that the Gelman gateway converts TCP to WLP for all incoming packets, and converts WLP to TCP for all outgoing packets. Hence, the input and output to the gateway is

in TCP format (not WTLS format) and it converts *all* of the packets from one standard to another, and hence the Gelman gateway does not teach receiving "packets encrypted according to the WTLS protocol from WAP-enabled terminals" as recited by claim 19. Accordingly, claim 19 is patentable over the reference for that reason.

Further, the Gelman reference does not suggest that any translation occurs without decrypting information contained in WTLS-encrypted packets. First, Gelman does not specifically teach encrypted packets are used over a network, in contrast to the explicit claim language. Further, even if Gelman did use encrypted packets, one skilled in the art would assume that any translation process requires that all the packets be decrypted in order to determine their destination. Thus, because Gelman does not specifically teach that encrypted packets are not *all* decrypted, it cannot be cited for such a teaching. Consequently, claim 19 is patentable over the reference for this reason as well. Claims 20-24, which depend, directly or indirectly on claim 19, are thus patentable for at least the same reasons as claim 19.

Claim 25, as amended, recites a method by which a terminal can access a server with the terminal sending a request for the server to a gateway, wherein "security utilized between said terminal and said gateway is based on a first security protocol... including an *encryption*" and wherein the server is secured "with a second security protocol... also including an *encryption*" (emphasis added). The method includes the step of "converting between said first and said second security protocol in a secured domain of said server", wherein "*encrypted* packets sent by said terminal are routed by said gateway to said secured domain without said gateway decrypting *all* of the packets transmitted during a session" (emphasis added).

As discussed above, Gelman does not teach that *encryption* is used, and further does not teach that not *all* of the packets are decrypted. Thus, claim 25 is patentable over the reference as well.

Claims 1-10, 12-14, and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hsu *et al.* (U.S. 6,587,684 B1) in view of Gelman. For the following reasons, the rejection is respectfully traversed.

Claim 1, as amended, recites a step of "converting between WTLS and SSL and/or TLS in a secured domain of said server...wherein *WTLS encrypted* packets sent by said terminal are routed by said gateway to said secured domain without said gateway decrypting *all* of the encrypted packets transported during a session" (emphasis added). As discussed above, Gelman does not teach the use of *encrypted* data over the wireless link. Further, Gelman does not teach that not *all* encrypted packets are decrypted in the gateway. Hsu does not overcome this shortcoming (not least because Hsu does not suggest the use of WTLS or secure protocols). Neither does Hsu suggest a translation between protocols. Hence, claim 1 is patentable over the references, even if combined.

Claim 18, as amended, recites a terminal for "sending a request for said server to a WAP gateway, wherein a browser in said terminal extracts the port number of the demanded WEB or WAP page and copies it to packets sent to said gateway". Neither reference suggests a browser that extracts the port number of a demanded WEB or WAP page, and hence claim 18 is patentable over the references.

Further, the Examiner has not provided the proper motivation for combining the references. The burden is on the Examiner to make a prima facie case of obviousness (MPEP §2142). To support a prima facie case of obviousness, the Examiner must show that there is some *suggestion* or *motivation* to modify the reference (MPEP §2143.01). The mere fact that references *can* be combined or modified, alone, is not sufficient to establish prima facie obviousness (*Id.*). The prior art must also suggest the *desirability* of the combination (*Id.*). The fact that the claimed invention is within the *capabilities* of one of ordinary skill in the art is not sufficient, by itself, to establish prima facie obviousness (*Id.*).

The Examiner has cited no support for any such suggestion or motivation for the combination from within the references, and neither does the Examiner provide any references supporting any motivation to modify the reference(s) by making the combination.

Merely listing an advantage or benefit of the combination is not sufficient, as some rationale for combining the references must be found in the references

themselves, or drawn from a convincing line of reasoning based on established scientific principles practiced by one skilled in the art that some advantage or beneficial result would be produced by the combination (MPEP §2144). Such motivation *cannot* be found in the application itself, as such *hindsight* is impermissible; the facts must be gleaned from the prior art. (MPEP §2142, last paragraph).

"To reach a proper determination under 35 U.S.C. 103, the examiner must step backward in time and into the shoes worn by the hypothetical 'person of ordinary skill in the art' when the invention was unknown and just before it was made [and] the examiner must then make a determination whether the claimed invention '*as a whole*' would have been obvious at that time to that person." (MPEP §2142, emphasis added). It is not proper to merely combine various elements from various references. The invention must be obvious "as a whole", not as a piecemeal combination of elements from various references.

Accordingly, the rejection for obviousness is not supported by the Office action and thus the rejection is improper, and should be withdrawn.

Claims 2-17, which depend, directly or indirectly, on claim 1, are thus patentable over the references for the same reasons.

Finally, new claims 26-35 contain limitations similar to those discussed above, and thus are patentable over the references for the same reasons discussed herein.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

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If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33544US1.

Respectfully submitted,

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